

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Norfolk Division**

CSX TRANSPORTATION, INC.,)	
individually and on behalf of NORFOLK)	
& PORTSMOUTH BELT LINE)	
RAILROAD COMPANY,)	
)	
<i>Plaintiff,</i>)	
)	
v.)	No. 2:18-cv-530-MSD-LRL
)	
NORFOLK SOUTHERN RAILWAY)	
COMPANY, <i>et al.</i>,)	
)	
<i>Defendants.</i>)	

NOTICE OF MOTION TO FILE DOCUMENTS UNDER SEAL

This serves as notice, pursuant to Local Rule 5(C), that Defendant Norfolk Southern Railway Company (“NSR”) has moved the Court to seal portions of the deposition transcript excerpts attached to NSR’s Brief in Opposition to CSX Transportation, Inc.’s (“CSXT”) Motion to Reopen and Compel Depositions because they contain and/or reference information that has been designated as “Confidential” or “Highly Confidential” under the Stipulated Protective Order entered in this matter. ECF No. 79, ¶ 16. The testimony contained in these deposition excerpts contains highly confidential and sensitive information relating to NSR’s transportation and shipping practices, and other confidential, proprietary, and sensitive business information, release of which would harm NSR.

Any party or non-party may submit memoranda in support of or in opposition to this Motion within seven (7) days, designating all or part of such memoranda as confidential. Any information designated as confidential in a supporting or opposing memoranda will be treated as sealed pending a determination by the Court on the Motion to Seal. Any person objecting to this

Motion must file an objection with the Clerk within seven (7) days after the filing of this Motion.

If no objection is filed in a timely manner, the Court may treat the Motion as uncontested.

Date: August 7, 2020

Respectfully submitted,

NORFOLK SOUTHERN RAILWAY COMPANY

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CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2020, I electronically filed a copy of the foregoing with the Clerk of Court using the CM/ECF system, which sent a notification of such filing (NEF) to the registered participants as identified on the NEF to receive electronic service, including:

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